

UNAPPROVED MINUTES
PLANNING COMMISSION

June 13, 2012

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, at 7:00 p.m., on June 13, 2012, there being present all the members of said Commission, to wit: Terrance D. Murphy, Vicki G. Daulton, Jimmy W. Robertson, Bruce N. Thomasson, and Samuel R. Carter, III; with Terrance D. Murphy, Chair, presiding; together with James E. Taliaferro, II, Assistant City Manager and Executive Secretary, ex officio member of said Commission; Melinda J. Payne, Director of Planning and Development; Charles E. Van Allman, Jr., City Engineer; Benjamin W. Tripp, Planner; Judy L. Hough, Planner; Mary Ellen Wines, Deputy Zoning Administrator/Secretary; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

ON MOTION MADE BY COMMISSION MEMBER ROBERTSON, SECONDED BY COMMISSION MEMBER CARTER, AND DULY CARRIED, the minutes of the regular meeting held on May 16, 2012, were approved as corrected – the roll call vote: all aye.

ON MOTION MADE BY VICE CHAIR DAULTON, SECONDED BY COMMISSION MEMBER CARTER, AND DULY CARRIED, the minutes of the work session held on May 16, 2012, were approved as written – the roll call vote: all aye.

In re: Request of Elaine F. Laletas, property owner, for rezoning the property located at 914 Delaware Street (Tax Map #185-5-4) from HBD Highway Business District to RSF Residential Single Family District

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Elaine F. Laletas, property owner, for rezoning the property located at 914 Delaware Street (Tax Map #185-5-4) from HBD Highway Business District to RSF Residential Single Family District; and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the May 30th and June 6th, 2012, issues of The Roanoke Times, and adjoining property owners were notified by letter mailed June 1, 2012; and

WHEREAS, staff noted the following: the existing lot with home is 50 feet by 150 feet and is currently zoned HBD; the owner wishes to rezone to RSF in order to sell the property; because of the current zoning, the single family residence is grandfathered, and any potential purchaser who attempts to obtain a residential mortgage cannot acquire a loan; the request is similar to several that the Commission has considered over the years and is a matter of bringing the zoning into compliance with the current land use; and

WHEREAS, Elaine Laletas, property owner, appeared before the Commission in support of the request; she noted that she would like to rezone her property in order to sell it; she further noted that potential purchasers cannot obtain a residential mortgage due to the business zoning; and

WHEREAS, Chairman Murphy noted that this type of request has typically been done in the past; he asked Mr. Maxwell if there was any way that this type of request could be handled administratively; Mr. Maxwell noted that it would be nice if we could handle it this way, but requests of this type have to go through the process just like any other rezoning; Mr. Taliaferro noted that he certainly felt everyone agrees with the Chair's point, but the due process of rezoning a property, not only affects the property owner, but it also affects the value of the adjacent property owners' property; therefore, this is the reason we have the public hearings and the notification, etc.; and

WHEREAS, no other person(s) appeared related to said request; and

WHEREAS, Mr. Taliaferro noted that the future land use map included in the Commission's packet is the 2003 map; City Council adopted the updated Comprehensive Plan and new maps on Monday, June 11, 2012, at its public hearing, however, this property is shown as future land use residential in the new plan so it is consistent with the new plan; Chair Murphy noted that the proposed rezoning would be compliant in that regard; and Mr. Taliaferro noted that yes it would be compliant;

ON MOTION MADE BY COMMISSION MEMBER THOMASSON, SECONDED BY COMMISSION MEMBER CARTER, AND DULY CARRIED, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of Elaine F. Laletas, property owner, for rezoning the property located at 914 Delaware Street (Tax Map #185-

5-4) from HBD Highway Business District to RSF Residential Single Family District be approved --
the roll call vote: all aye.

There being no further business to come before the Commission, the same on motion
adjourned at 7:08 p.m.

Executive Secretary

Chair